

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JORGE TORRES,) No.
)
 Plaintiff,) COMPLAINT FOR DAMAGES
)
 v.)
)
 CITY OF SEATTLE AND SEVERAL)
 UNKNOWN POLICE OFFICERS)
)
 Defendants.)
)
 _____)

I. NATURE OF ACTION

1.1 Introduction. This is a civil rights action brought by Plaintiff pursuant to 42 U.S.C. Sec. 1983 and the Fourth and Fourteenth Amendments against the Defendant police officers and their marital community. This case arises from claims of assault, excessive force, false arrest and intentional infliction of emotional distress.

II. PARTIES

2.1 Plaintiff Jore Torres. Jesse is a resident of King County, Washington.

2.2 Several unknown Seattle Police Officers. At all times relevant, the unknown police officers were employed as law enforcement by the Seattle Police Department and were acting within the course and scope of their employment with the City of Seattle and under color of law.

2.3 Defendant City of Seattle. Defendant City of Seattle (City) is responsible for the actions and activities of employees of the Seattle Police Department when SPD employees are acting within the course and scope of their employment.

III. JURISDICTION AND VENUE

3.1 Jurisdiction. Jurisdiction in this Court based on the existence of a federal question pursuant to 28 U.S.C. Section § 1331 and 1343, in that Plaintiff assert claims for deprivation of civil rights under 42 U.S.C. § 1983 for violation of the Fourth Amendments to the United States Constitution.

3.2 Venue. Venue for this action is appropriate in this Court because the events giving rise to the claims asserted herein

1 occurred in the Seattle Division of this district and because
2 the plaintiff and defendants reside in this district.

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4 **IV. FACTS**

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6 4.1 On December 6, 2014, Jorre Torres peacefully participated in a
7 rally for police accountability.

8 4.2 While Mr. Torres walking through the intersection the
9 intersection on Fairview and Denny in Seattle Washington a bike
10 officer rode quickly toward him.

11 4.3 The officer then quickly got off of his bike and slammed Mr.
12 Torres on to the ground.

13 4.3 Several more officers jumped on top of Mr. Torres.

14 4.4 one of the officers placed Mr. Torre's legs in a hog tie type
15 position.

16 4.5 one of the police officers forced Mr. Torres's head into the
17 pavement.

18 4.6 Mr. Torres was then transported to Jail.

19 4.7 Mr. Torres experienced significant pain and trauma as a result
20 of this incident.

21 4.8 Mr. Torres was eventually charge with a crime in relation to
22 this incident in Seattle Municipal Court.

23 4.9 Mr. Torres had to attend court dates for approximately
24 6 months.

1 4.10 Mr. Torres had to attend meetings with attorneys in relation to
2 the misdemeanor charges.

3 4.11 Portions of this incident were captured on police recording
4 devices.

5 4.12 One of the officers can be heard on the recording says
6 something to the effect of, "just get that fucking wetback."
7 This occurred just before Mr. Torres was tackled by the police
8 officers.

9 4.13 Mr. Torres is of Latino decent.

10 4.14 The criminal misdemeanor charges were dismissed.

11 4.15 Mr. Torres experienced significant physical and emotional
12 trauma as a result of this incident.

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14 **V. CAUSES OF ACTION**
15

16 5.1 First Cause of Action. The City of Seattle and the unknown
17 Seattle Police Officers, are liable to the plaintiff for the
18 tort of assault.

19 5.2 Second Cause of Action. The City of Seattle and the unknown
20 officers are liable to the plaintiff for using excessive force
21 against Jesse Torres.

22 5.3 Third Cause of Action. The City of Seattle and the unknown
23 officers are liable to the plaintiff for intentional infliction
24 of emotional distress.
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1 5.4 Fourth Cause of Action. The City of Seattle, and the unknown
2 officers are liable to the plaintiff for false arrest.

3 5.5 Fifth Cause of Action. The City of Seattle is liable to the
4 plaintiff for violation of the plaintiff's civil rights to the
5 extent that the failure to train, supervise and discipline
6 police officers is a policy, practice or custom of the City
7 Seattle. 42 USC Sec. 1983.

8 5.6 Sixth Cause of Action. The City of Seattle is liable to the
9 plaintiff for violation of the plaintiff's civil rights. 42
10 USC Sec. 1983.

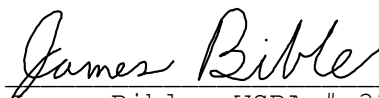
V. REQUEST FOR JURY DEMAND

The plaintiff, Jore Torres, formally demands his right for his case to be heard by a jury.

WHEREFORE, Plaintiff pray for the following relief:

1. Damages and punitive damages in an amount to be proven at trial. Plaintiff seeks punitive damages against all defendants;
2. For reasonable attorney's fees and costs; and
3. For such other and further relief as the Court deems just and equitable.

Dated: December 6, 2016



James Bible, WSBA # 33985
Attorney for Plaintiff